

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Justin Scott Stair**

Docket No. **283964**

L.C. No. **07-010394 FC**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal filed February 29, 2008, is DISMISSED for lack of jurisdiction because the judgment of sentence was not a final order at the time that the claim was filed. If an appellant files a motion for postjudgment relief within 42 days of the entry of a judgment of sentence, the finality of the judgment is suspended until the trial court disposes of that motion. Under MCR 6.425(G)(1), the trial court cannot rule on the request for appellate counsel while a postjudgment motion is pending.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR 23 2008

Date

Sandra Schultz Mengel

Chief Clerk